

REMARKS**Summary of the Office Action**

Claims 7-12 stand objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim may not depend upon another multiple dependent claim.

Claims 1-2 and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hamamoto (US 2002/0195676) (hereinafter “Hamamoto”) in view of Finkley (U.S. 6,437,340 B1) (hereinafter “Finkley”).

Claims 3-5 are allowed.

Summary of the Response to the Office Action

Applicants have canceled claims 1-2 and 6-12 without prejudice or disclaimer. Accordingly, claims 3-5 and 13-19 remain currently pending for consideration.

Claims Objection

Claims 7-12 stand objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim may not depend upon another multiple dependent claim. This objection is respectfully traversed because claims 7-12 were amended in these regards in a Preliminary Amendment filed on October 7, 2005 in this application. It appears that the Office Action issued in error because it did not treat the claims as amended by Applicants in this Preliminary Amendment. Regardless, Applicants have now canceled claims 7-12 rendering the objection moot. Accordingly, withdrawal of the objection to claims 7-12 is respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 1-2 and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hamamoto in view of Finkley. Applicants have now canceled claims 1-2 and 6, rendering the rejection moot. Accordingly, withdrawal of the rejection of claims 1-2 and 6 is respectfully requested.

The Examiner is thanked for the indication that claims 3-5 are allowed. In addition, dependent claims 13-19 were added in the above-discussed Preliminary Amendment filed on October 7, 2005 in this application. Applicants respectfully submit that claims 13-19 are also allowable at least because of their dependence from allowed claim 3.

CONCLUSION

In view of the foregoing amendments and remarks, withdrawal of the objections and rejections and allowance of all pending claims are earnestly solicited. Should the Examiner feel that there are any issues outstanding after consideration of this response; the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER BIDDLE & REATH LLP



Paul A. Fournier
Reg. No. 41,023

Dated: September 22, 2008

By:

Customer No. 055694

DRINKER BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, DC 20005-1209
Tel.: (202) 842-8800
Fax: (202) 842-8465